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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,690

07/20/2006

Tadatomo Suga

00876.03.0001

6233

22506

7590

07/28/2010

Vedder Price, PC  
875 15th Street, NW  
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EXAMINER

PATEL, DEVANG R

ART UNIT

PAPER NUMBER

1793

MAIL DATE

DELIVERY MODE

07/28/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/586,690

Examiner

DEVANG R. PATEL

Applicant(s)

SUGA ET AL.

Art Unit

1793

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/25/10.
2. ☒ The allowed claim(s) is/are 2-20,22-24 and 50.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other ____.   |

/DEVANG R PATEL/  
Examiner, Art Unit 1793

/Jessica L. Ward/  
Supervisory Patent Examiner, Art Unit 1793

### **SUPPLEMENTAL EXAMINER'S AMENDMENT**

**The following amendment is in addition to the Examiner's Amendment that was mailed on 04/06/2010.**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark Gutttag on 7/22/10.

The application has been amended as follows:

#### **Specification**

**On pg. 3**, delete "(claim 1)" in line 3 and delete "(claim 26)" in line 14.

**On pg. 7**, delete "(claim 27)" and "regarding the energy wave of the invention of claim 26" in lines 8-9 and delete "with the configuration of claim 27" in line 10.

**On pg. 8**, delete "(claims 2 and 28)" in line 11 and delete "(claims 3 and 29)" in line 20.

**On pg. 10**, delete "(claims 5 and 31)" in line 6.

**On pg. 11**, delete "(claim 6)" in line 1 and delete "(claim 32)" in lines 7-8.

**On pg. 12**, delete "(claims 7 and 33)" in lines 8-9 and delete "(claims 8 and 34" in line 20.

**On pg. 17**, delete "(claims 9 and 35)" in line 6.

**On pg. 19**, delete "(claim 10)" in line 19.

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**On pg. 20**, delete "(claim 36)" in line 3.

**On pg. 22**, delete "(claim 11)" in line 20.

**On pg. 23**, delete "(claim 37)" in line 1.

**On pg. 24**, delete "(claims 12 and 38)" in lines 5-6.

**On pg. 25**, delete "(claim 13)" in line 4 and delete "(claim 39)" in line 18.

**On pg. 27**, delete "(claims 14 and 40)" in last line of the page.

**On pg. 29**, delete "(claims 15 and 41)" in line 13.

**On pg. 31**, delete "(claims 16 and 42)" in line 12 and delete "(claims 17 and 43)" line 19.

**On pg. 32**, delete "(claims 18 and 44)" line 5.

**On pg. 34**, delete "(claims 19 and 46)" line 4.

**On pg. 35**, delete "(claim 20)" line 9.

**On pg. 36**, delete "(claim 46)" line 2.

**On pg. 38**, delete "(claims 21 and 47)" line 23.

**On pg. 47**, delete "(claim 22)" in line 20 and delete "(claim 48)" line 24.

**On pg. 49**, delete "(claims 23 and 49)" line 10.

**On pg. 50**, delete "(claim 24)" in line 11 and delete "according to any one of claims 1 to 24" in lines 12-13 and delete "(claim 25)" line 14.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEVANG PATEL whose telephone number is (571)270-

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3636. The examiner can normally be reached on Monday thru Thursday, 8:00 am to 5:30 pm, EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Ward can be reached on 571-272-1223. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devang Patel/  
Examiner, Art Unit 1793

/Jessica L. Ward/  
Supervisory Patent Examiner, Art Unit 1793